

To: Wells, Suzanne[Wells.Suzanne@epa.gov]; Gartner, Lois[Gartner.Lois@epa.gov]
From: Cohen, Nancy
Sent: Wed 3/20/2013 7:31:56 PM
Subject: Fw: ACTION: Westlake & Rolling Stone

FYI, still being worked

From: Jones, Enesta
Sent: Wednesday, March 20, 2013 12:04:07 PM
To: Cohen, Nancy; Bassler, Rachel; Minter, Marsha; Deitz, Randy
Cc: Jones, Enesta; Milbourn, Cathy; Delp, Robert
Subject: ACTION: Westlake & Rolling Stone

All,

Spoke to Rich. A couple of things:

1. He is no longer in favor of us doing an interview. Doesn't think it will bode in our favor. He agrees a desk statement is the wisest approach.

He cleared what's below. Yes, we can definitely say, with confidence, the sentence on "community and risk" in the second sentence.

2. R7 addressed the jurisdiction issue with the reporter in the interview, but think it is worth repeating in what HQ sends him.

Please share with Mathy and get his clearance.

STATEMENT

EPA's mission is to protect people's health and the environment. While the agency has not made a final decision on the remedy that will be implemented at West Lake Landfill, it believes that the community is not at risk from the waste. EPA's investigation of the proposed remedy and alternatives, which was prompted by the National Remedy Review Board, continues. As new information becomes available, the agency will share with the public.

BACKGROUND

- Landfill fire is in one of the non-radiological landfill cells on site, and is more than 1,000 feet from the nearest radiologically-contaminated cell.

- Some local governments (local municipality and county) and the Missouri General Assembly (state legislature) have passed non-binding resolutions calling for cleanup authority for the site to be transferred to the U.S. Army Corps of Engineers under the FUSRAP program.

- The Corps of Engineers, through the FUSRAP program, has indeed addressed a number of sites in the St. Louis area, but none with the unique characteristics of West Lake Landfill, which is a Superfund site on the NPL. It would require an act of Congress to transfer EPA's responsibility for the site to the FUSRAP program; this cannot be done by administrative unilateral or bilateral action. Even under FUSRAP, the Corps of Engineers would be required by CERCLA to implement the same Superfund process that is currently being applied by EPA. As previously stated, no final decision for a remedy at West Lake Landfill has been made. Additional investigation to obtain more current scientific data is ongoing. That data will ultimately be used by EPA to make a responsible, informed, best decision regarding a remedy for this site.

Enesta Jones

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